

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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STEVEN GROHS,	:	
	:	
Plaintiff,	:	Civ. No. 13-7870 (KM) (MAH)
	:	
v.	:	<b>ORDER</b>
	:	
CHRISTOPHER HOLMES, et al.,	:	
	:	
Defendants.	:	
	:	

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For the reasons expressed in the Opinion filed herewith:

IT IS this 26th day of September, 2014,

ORDERED that plaintiff's application to proceed *in forma pauperis* is granted, and that the Clerk shall file the complaint; and it is further ORDERED that plaintiff's federal claim of First Amendment retaliation, having been screened under 28 U.S.C. § 1915(e)(2)(B)(ii), is permitted to go forward as against defendant Fratalone only; and it is further

ORDERED that plaintiff's free speech retaliation claim under Article I of the New Jersey State Constitution and his claim under the New Jersey Patients' Bill of Rights, N.J. Stat. Ann. § 30:4-24.2, will be permitted to go forward as against defendant Fratalone only, pursuant to the Court's supplemental jurisdiction, 28 U.S.C. § 1337; and it is further

ORDERED that all of plaintiff's remaining federal claims are dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted; and it is further

ORDERED that all of plaintiff's remaining state claims are dismissed for lack of jurisdiction, and in the alternative for failure to state a claim upon which relief may be granted; and it is further

ORDERED that the above dismissals are without prejudice to the submission of a properly supported motion to amend the Complaint, attaching a proposed pleading, within 30 days; and it is further

ORDERED that the Clerk shall issue a summons and the U.S. Marshal shall serve the summons and copies of the complaint and this Opinion and Order upon defendant Fratalone, with all costs of service advanced by the United States; and it is further

ORDERED that defendant Fratalone shall file and serve a responsive pleading within the time specified by FED. R. CIV. P. 12; and it is further

ORDERED that the Clerk shall serve this Opinion and Order on plaintiff by regular U.S. mail.



KEVIN MCNULTY  
United States District Judge